



PTO/SB/21 (08-03)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/719,026

Filing Date

November 24, 2003

First Named Inventor

Kazuhiko TANIGUCHI et al

Art Unit

Examiner Name

Attorney Docket Number

SUGI0136

### ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s)

- After Allowance communication to Technology Center (TC)
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below): English translation of application

#### Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name **Joerg-Uwe Szipl  
Registration No. 31,799  
GRIFFIN & SZIPL, P.C.**

Signature

Date **July 26, 2004**

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEES TRANSMITTAL

## for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,180.00)

## Complete if Known

Application Number	10/719,026
Filing Date	November 24, 2003
First Named Inventor	Kazuhiko TANIGUCHI et al
Examiner Name	
Art Unit	
Attorney Docket No.	SUGI0136

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number 501281

Deposit Account Name Griffin &amp; Szipl, P.C.

## The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments
   
 Charge any additional fee(s) or any underpayment of fee(s)
   
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

## 1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Fee	Small Entity	Fee Code (\$)	Fee	Fee Description	Fee Paid
1001	770		2001	385		Utility filing fee	770.00
1002	340		2002	170		Design filing fee	
1003	530		2003	265		Plant filing fee	
1004	770		2004	385		Reissue filing fee	
1005	160		2005	80		Provisional filing fee	
<b>SUBTOTAL (1)</b>		<b>(\$ 770.00)</b>					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	5	-20**	= -0-	x -0- = -0-
Independent Claims	2	- 3**	= -0-	x -0- = -0-
Multiple Dependent				-0- = -0-

Large Entity	Fee Code (\$)	Fee	Small Entity	Fee Code (\$)	Fee	Fee Description
1202	18		2202	9		Claims in excess of 20
1201	86		2201	43		Independent claims in excess of 3
1203	290		2203	145		Multiple dependent claim, if not paid
1204	86		2204	43		** Reissue independent claims over original patent
1205	18		2205	9		** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$ 0-)</b>				

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	130.00
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	110.00
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid		<b>SUBTOTAL (3)</b>		<b>(\$ 410.00)</b>	

(Complete if applicable)

Name (Print/Type)	Joerg-Uwe Szipl	Registration No. (Attorney/Agent)	31,799	Telephone	703-979-5700
Signature				Date	July 26, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent Application of: )  
Kazuhiko TANIGUCHI et al ) Atty. Docket: SUGI0136  
Serial No. 10/719,026 )  
Filed: November 24, 2003 ) Confirmation No.: 9155  
For: STATUS DISCRIMINATING )  
APPARATUS OF HUMAN, ) Date: July 26, 2004  
ANIMAL, MACHINE OR THE )  
LIKE USING ULTRASONIC )  
VIBRATION DETECTING )  
SENSOR, AND STATUS )  
DISCRIMINATING METHOD OF )  
HUMAN, ANIMAL, MACHINE OR )  
THE LIKE USING THE SAME )

**SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION**

**Box: MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

In completing the above-identified application, attached hereto are:

1. Executed Declaration;
2. Form PTO-1595 and Assignment to Kinden Corporation;
3. Copy of Notice to File Missing Parts of Nonprovisional Application;
4. Submission of Formal Drawings;
5. Petition for Extension of Time (1 month); and
6. Credit Card Payment Form, charging the amount of \$1,180.00.

The fees required in this application are calculated as follows:

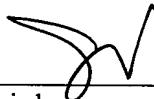
A. Filing Fee (Large Entity)	\$ 770.00
B. Surcharge (Large Entity)	\$ 130.00
C. Assignment recording fee	\$ 40.00
D. Petition for Extension of Time fee (1 month)	\$ 110.00
D. Non-English Specification fee	\$ 130.00

**TOTAL ENCLOSED** \$ **1,180.00**

The Commissioner is hereby requested and authorized to charge any additional fees under 37 CFR 1.16 and 1.17 (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-1281 under an Order Number corresponding to the above-noted Attorney Docket Number. A duplicate of this sheet is attached.

Respectfully submitted,

GRiffin & Szipl, PC

  
\_\_\_\_\_  
Joerg-Uwe Szipl  
Registration. No. 31,799

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

IPW #

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/719,026	11/24/2003	Kazuhiko Taniguchi	SUGI0136

24203  
 GRIFFIN & SZIPPL, PC  
 SUITE PH-1  
 2300 NINTH STREET, SOUTH  
 ARLINGTON, VA 22204



CONFIRMATION NO. 9155  
 FORMALITIES LETTER



\*OC000000012446673\*

Date Mailed: 04/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/28/2004 WARDELR1 00000054 10719026

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 0P  
 02 FC:1051 130.00 0P  
 03 FC:1053 130.00 0P

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:

- The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-14.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1030** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*AG*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE